

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARICA DURKOT	:	CIVIL ACTION
	:	
v.	:	
	:	NO. 08-4538
TESCO EQUIPMENT, LLC	:	

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**ORDER**

AND NOW, this 9<sup>th</sup> day of September, 2009, upon consideration of Defendant's Motion for the Application of the Restatement (Third) (Document #23), Plaintiff's opposition thereto, and Defendant's Response, IT IS HEREBY ORDERED as that Defendant's Motion is DENIED and Section 402(a) of the Restatement (Second) will be applied in this case.

BY THE COURT:

/s/Jacob P. Hart

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JACOB P. HART, M.J.